



General Assembly

January Session, 2011

***Raised Bill No. 1038***

LCO No. 3681

\*03681\_\_\_\_\_ED\_\*

Referred to Committee on Education

Introduced by:  
(ED)

***AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subdivision (8) of subsection (a) of section 10-76d of the  
2       general statutes is repealed and the following is substituted in lieu  
3       thereof (*Effective July 1, 2011*):

4       (8) (A) Each local and regional board of education responsible for  
5       providing special education and related services to a child shall notify  
6       the parent or guardian of a child who requires or who may require  
7       special education, a pupil if such pupil is an emancipated minor or  
8       eighteen years of age or older who requires or who may require special  
9       education or a surrogate parent appointed pursuant to section 10-94g,  
10      in writing, at least five school days before such board proposes to, or  
11      refuses to, initiate or change the child's or pupil's identification,  
12      evaluation or educational placement or the provision of a free  
13      appropriate public education to the child or pupil.

14      (B) The responsible local and regional board of education shall offer  
15      such parent, guardian, pupil or surrogate parent an opportunity to  
16      meet with the members of the planning and placement team prior to

17 the initial planning and placement team meeting for the sole purpose  
18 of discussing the findings in the evaluations and reports received by  
19 such parent, guardian, pupil or surrogate parent concerning the child  
20 or pupil who requires or may require special education.

21 (C) Such parent, guardian, pupil or surrogate parent shall be given  
22 at least five school days' prior notice of any planning and placement  
23 team meeting conducted for such child or pupil and shall have the  
24 right to be present at and participate in and to have advisors of such  
25 person's own choosing and at such person's own expense to be present  
26 at and to participate in all portions of such meeting at which an  
27 educational program for such child or pupil is developed, reviewed or  
28 revised.

29 (D) Immediately upon the formal identification of any child as a  
30 child requiring special education and at each planning and placement  
31 team meeting for such child, the responsible local or regional board of  
32 education shall inform the parent or guardian of such child or  
33 surrogate parent or, in the case of a pupil who is an emancipated  
34 minor or eighteen years of age or older, the pupil of (i) the laws  
35 relating to special education, [and] (ii) the rights of such parent,  
36 guardian, surrogate parent or pupil under such laws and the  
37 regulations adopted by the State Board of Education relating to special  
38 education, and (iii) any relevant information and resources relating to  
39 individualized education programs created by the Department of  
40 Education. If such parent, guardian, surrogate parent or pupil does not  
41 attend a planning and placement team meeting, the responsible local  
42 or regional board of education shall mail such information to such  
43 person.

44 (E) Each local and regional board of education shall have in effect at  
45 the beginning of each school year an educational program for each  
46 child or pupil who has been identified as eligible for special education.

47 [(B)] (F) At each initial planning and placement team meeting for a  
48 child or pupil, the responsible local or regional board of education

49 shall inform the parent, guardian, surrogate parent or pupil of the laws  
50 relating to physical restraint and seclusion pursuant to chapter 814e  
51 and the rights of such parent, guardian, surrogate parent or pupil  
52 under such laws and the regulations adopted by the State Board of  
53 Education relating to physical restraint and seclusion.

54 (G) The responsible local and regional board of education shall  
55 document in such child's or pupil's record that such board provided  
56 the assessments and evaluations used in the determination of  
57 eligibility for special education for such child or pupil to the parent,  
58 guardian, surrogate parent or pupil at least five school days before the  
59 initial planning and placement team meeting for such child or pupil.  
60 The parent, guardian, surrogate parent or pupil may waive the  
61 requirement that such parent, guardian, surrogate parent or pupil  
62 receive such assessments and evaluations at least five school days  
63 before the initial planning and placement team meeting by delivering a  
64 signed, written waiver to the responsible local or regional board of  
65 education.

66 Sec. 2. Section 10-145a of the general statutes is repealed and the  
67 following is substituted in lieu thereof (*Effective July 1, 2011*):

68 (a) The State Board of Education may, in accordance with section 10-  
69 19 and such regulations and qualifications as it prescribes, issue  
70 certificates of qualification to teach, to administer, to supervise or to  
71 serve in other positions requiring certification pursuant to regulations  
72 adopted by the State Board of Education in any public school in the  
73 state and may revoke the same. Any such regulations shall provide  
74 that the qualifications to maintain any administrator, supervisor or  
75 special service certificate shall incorporate the continuing education  
76 provisions of subsection (i) of section 10-145b. The certificates of  
77 qualification issued under this section shall be accepted by boards of  
78 education in lieu of any other certificate, provided additional  
79 qualifications may be required by a board of education, in which case  
80 the state certificate shall be accepted for such subjects as it includes.

81 (b) Any candidate in a program of teacher preparation leading to  
82 professional certification shall be encouraged to successfully complete  
83 an intergroup relations component of such a program which shall be  
84 developed with the participation of both sexes, and persons of various  
85 ethnic, cultural and economic backgrounds. Such intergroup relations  
86 program shall have the following objectives: (1) The imparting of an  
87 appreciation of the contributions to American civilization of the  
88 various ethnic, cultural and economic groups composing American  
89 society and an understanding of the life styles of such groups; (2) the  
90 counteracting of biases, discrimination and prejudices; and (3) the  
91 assurance of respect for human diversity and personal rights. The State  
92 Board of Education, the Board of Governors of Higher Education, the  
93 Commission on Human Rights and Opportunities and the Permanent  
94 Commission on the Status of Women shall establish a joint committee  
95 composed of members of the four agencies, which shall develop and  
96 implement such programs in intergroup relations.

97 (c) Any candidate in a program of teacher preparation leading to  
98 professional certification shall be encouraged to complete a (1) health  
99 component of such a program, which includes, but need not be limited  
100 to, human growth and development, nutrition, first aid, disease  
101 prevention and community and consumer health, and (2) mental  
102 health component of such a program, which includes, but need not be  
103 limited to, youth suicide, child abuse and alcohol and drug abuse.

104 (d) Any candidate in a program of teacher preparation leading to  
105 professional certification shall be encouraged to complete a school  
106 violence, bullying and suicide prevention and conflict resolution  
107 component of such a program.

108 (e) On and after July 1, 1998, any candidate in a program of teacher  
109 preparation leading to professional certification shall complete a  
110 computer and other information technology skills component of such  
111 program, as applied to student learning and classroom instruction,  
112 communications and data management.

113 (f) On and after July 1, 2006, any program of teacher preparation  
114 leading to professional certification shall include, as part of the  
115 curriculum, instruction in literacy skills and processes that reflects  
116 current research and best practices in the field of literacy training. Such  
117 instruction shall be incorporated into requirements of student major  
118 and concentration.

119 (g) On and after July 1, 2006, any program of teacher preparation  
120 leading to professional certification shall include, as part of the  
121 curriculum, instruction in the concepts of second language learning  
122 and second language acquisition and processes that reflects current  
123 research and best practices in the field of second language learning and  
124 second language acquisition. Such instruction shall be incorporated  
125 into requirements of student major and concentration.

126 (h) On and after July 1, 2011, any program of teacher preparation  
127 leading to professional certification shall include, as part of the  
128 curriculum, instruction in the development and implementation of  
129 student individualized education programs as it relates to the  
130 provision of special education and related services.

131 [(h)] (i) On and after July 1, 2012, any candidate entering a program  
132 of teacher preparation leading to professional certification shall be  
133 required to complete training in competency areas contained in the  
134 professional teaching standards established by the State Board of  
135 Education, including, but not limited to, development and  
136 characteristics of learners, evidence-based and standards-based  
137 instruction, evidence-based classroom and behavior management, and  
138 assessment and professional behaviors and responsibilities.

139 Sec. 3. Subsection (a) of section 10-220a of the general statutes is  
140 repealed and the follow is substituted in lieu thereof (*Effective July 1,*  
141 *2011*):

142 (a) Each local or regional board of education shall provide an in-  
143 service training program for its teachers, administrators and pupil

144 personnel who hold the initial educator, provisional educator or  
145 professional educator certificate. Such program shall provide such  
146 teachers, administrators and pupil personnel with information on (1)  
147 the nature and the relationship of drugs, as defined in subdivision (17)  
148 of section 21a-240, and alcohol to health and personality development,  
149 and procedures for discouraging their abuse, (2) health and mental  
150 health risk reduction education which includes, but need not be  
151 limited to, the prevention of risk-taking behavior by children and the  
152 relationship of such behavior to substance abuse, pregnancy, sexually  
153 transmitted diseases, including HIV-infection and AIDS, as defined in  
154 section 19a-581, violence, teen dating violence, domestic violence, child  
155 abuse and youth suicide, (3) the growth and development of  
156 exceptional children, including handicapped and gifted and talented  
157 children and children who may require special education, including,  
158 but not limited to, children with attention-deficit hyperactivity  
159 disorder or learning disabilities, and methods for identifying, planning  
160 for and working effectively with special needs children in a regular  
161 classroom, including, but not limited to, implementation of student  
162 individualized education programs, (4) school violence prevention,  
163 conflict resolution and prevention of bullying, as defined in subsection  
164 (a) of section 10-222d, except that those boards of education that  
165 implement an evidence-based model approach, consistent with  
166 subsection (d) of section 10-145a, subsection (a) of section 10-220a,  
167 sections 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c  
168 and sections 1 and 3 of public act 08-160\*, shall not be required to  
169 provide in-service training on prevention of bullying, (5)  
170 cardiopulmonary resuscitation and other emergency life saving  
171 procedures, (6) computer and other information technology as applied  
172 to student learning and classroom instruction, communications and  
173 data management, (7) the teaching of the language arts, reading and  
174 reading readiness for teachers in grades kindergarten to three,  
175 inclusive, and (8) second language acquisition in districts required to  
176 provide a program of bilingual education pursuant to section 10-17f.  
177 Each local and regional board of education may allow any

178 paraprofessional or noncertified employee to participate, on a  
179 voluntary basis, in any in-service training program provided pursuant  
180 to this section. The State Board of Education, within available  
181 appropriations and utilizing available materials, shall assist and  
182 encourage local and regional boards of education to include: (A)  
183 Holocaust education and awareness; (B) the historical events  
184 surrounding the Great Famine in Ireland; (C) African-American  
185 history; (D) Puerto Rican history; (E) Native American history; (F)  
186 personal financial management; (G) domestic violence and teen dating  
187 violence; and (H) topics approved by the state board upon the request  
188 of local or regional boards of education as part of in-service training  
189 programs pursuant to this subsection.

190 Sec. 4. Subdivision (1) of subsection (i) of section 10-145b of the  
191 general statutes is repealed and the following is substituted in lieu  
192 thereof (*Effective July 1, 2011*):

193 (i) (1) For certified employees of local and regional boards of  
194 education, except as provided in this subdivision, each professional  
195 educator certificate shall be valid for five years and continued every  
196 five years thereafter upon the successful completion of professional  
197 development activities which shall consist of not less than ninety hours  
198 of continuing education, as determined by the local or regional board  
199 of education in accordance with this section, or documented  
200 completion of a national board certification assessment in the  
201 appropriate endorsement area, during each successive five-year  
202 period. (A) Such continuing education completed by certified  
203 employees with an early childhood nursery through grade three or an  
204 elementary endorsement who hold a position requiring such an  
205 endorsement shall include at least fifteen hours of training in the  
206 teaching of reading and reading readiness and assessment of reading  
207 performance, including methods of teaching language skills necessary  
208 for reading, reading comprehension skills, phonics and the structure of  
209 the English language during each five-year period. (B) Such continuing  
210 education requirement completed by certified employees with

211 elementary, middle grades or secondary academic endorsements who  
212 hold a position requiring such an endorsement shall include at least  
213 fifteen hours of training in the use of computers in the classroom  
214 during each five-year period unless such employees are able to  
215 demonstrate technology competency, in a manner determined by their  
216 local or regional board of education, based on state-wide standards for  
217 teacher competency in the use of technology for instructional purposes  
218 adopted pursuant to section 4d-85. (C) Such continuing education  
219 completed by (i) the superintendent of schools, and (ii) employees  
220 employed in positions requiring an intermediate administrator or  
221 supervisory certificate, or the equivalent thereof, and whose  
222 administrative or supervisory duties equal at least fifty per cent of  
223 their assigned time, shall include at least fifteen hours of training in the  
224 evaluation of teachers pursuant to section 10-151b during each five-  
225 year period. (D) In the case of certified employees with a bilingual  
226 education endorsement who hold positions requiring such an  
227 endorsement (i) in an elementary school and who do not hold an  
228 endorsement in elementary education, such continuing education  
229 taken on or after July 1, 1999, shall only count toward the ninety-hour  
230 requirement if it is in language arts, reading and mathematics, and (ii)  
231 in a middle or secondary school and who do not hold an endorsement  
232 in the subject area they teach, such continuing education taken on or  
233 after July 1, 1999, shall only count toward the ninety-hour requirement  
234 if it is in such subject area or areas. (E) Such continuing education  
235 completed by certified employees with an endorsement in special  
236 education who hold a position requiring such an endorsement shall  
237 include at least ten hours of training in the implementation of student  
238 individualized education programs and the communication of  
239 individualized education program procedures to parents or guardians  
240 of students who require special education and related services. Such  
241 continuing education completed by certified employees with an early  
242 childhood nursery through grade three or an elementary endorsement  
243 who hold a position requiring such an endorsement shall include at  
244 least fifteen hours of training in the teaching of reading and reading



245 readiness and assessment of reading performance, including methods  
246 of teaching language skills necessary for reading, reading  
247 comprehension skills, phonics and the structure of the English  
248 language during each five-year period. On and after July 1, 2011, such  
249 continuing education shall be as determined by the local or regional  
250 board of education in full consideration of the provisions of this  
251 section and the priorities and needs related to student outcomes as  
252 determined by the State Board of Education. During each five-year  
253 period in which a professional educator certificate is valid, a holder of  
254 such certificate who has not completed the ninety hours of continuing  
255 education required pursuant to this subdivision, and who has not been  
256 employed while holding such certificate by a local or regional board of  
257 education for all or part of the five-year period, shall, upon  
258 application, be reissued such certificate for five years minus any period  
259 of time such holder was employed while holding such certificate by a  
260 local or regional board of education, provided there shall be only one  
261 such reissuance during each five-year period in which such certificate  
262 is valid. A certified employee of a local or regional board of education  
263 who is a member of the General Assembly and who has not completed  
264 the ninety hours of continuing education required pursuant to this  
265 subdivision for continuation of a certificate, upon application, shall be  
266 reissued a professional educator certificate for a period of time equal to  
267 six months for each year the employee served in the General Assembly  
268 during the previous five years. Continuing education hours completed  
269 during the previous five years shall be applied toward such ninety-  
270 hour requirement which shall be completed during the reissuance  
271 period in order for such employee to be eligible to have a certificate  
272 continued. The cost of the professional development activities required  
273 under this subsection for certified employees of local or regional  
274 boards of education shall be shared by the state and local or regional  
275 boards of education, except for those activities identified by the State  
276 Board of Education as the responsibility of the certificate holder. Each  
277 local and regional board of education shall make available, annually, at  
278 no cost to its certified employees not fewer than eighteen hours of

279 professional development activities for continuing education credit.  
 280 Such activities may be made available by a board of education directly,  
 281 through a regional educational service center or cooperative  
 282 arrangement with another board of education or through  
 283 arrangements with any continuing education provider approved by  
 284 the State Board of Education. Local and regional boards of education  
 285 shall grant continuing education credit for professional development  
 286 activities which the certified employees of the board of education are  
 287 required to attend, professional development activities offered in  
 288 accordance with the plan developed pursuant to subsection (b) of  
 289 section 10-220a, or professional development activities which the  
 290 board may approve for any individual certified employee. Each board  
 291 of education shall determine the specific professional development  
 292 activities to be made available with the advice and assistance of the  
 293 teachers employed by such board, including representatives of the  
 294 exclusive bargaining unit for such teachers pursuant to section 10-  
 295 153b, and on and after July 1, 2011, in full consideration of priorities  
 296 and needs related to student outcomes as determined by the State  
 297 Board of Education. The time and location for the provision of such  
 298 activities shall be in accordance with either an agreement between the  
 299 board of education and the exclusive bargaining unit pursuant to said  
 300 section 10-153b or, in the absence of such agreement or to the extent  
 301 such agreement does not provide for the time and location of all such  
 302 activities, in accordance with a determination by the board of  
 303 education.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2011</i>	10-76d(a)(8)
Sec. 2	<i>July 1, 2011</i>	10-145a
Sec. 3	<i>July 1, 2011</i>	10-220a(a)
Sec. 4	<i>July 1, 2011</i>	10-145b(i)(1)

***Statement of Purpose:***

To improve the dissemination and communication of information regarding individualized education programs to parents and guardians and to improve the quality of education for teachers in the implementation of individualized education programs.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*